

Consumer Financial  
Protection Bureau

Welcome David Daugherty (Logout)

Case number: 140326-000036

[Back](#)**STATUS**

Response disputed

Ocwen Loan Servicing LLC said:

**Explanation of closure**  
advise of the same**Response**

The Office of the Consumer Ombudsman for Ocwen Loan Servicing, LLC (Ocwen) would like to take this opportunity to respond to your recent concern regarding the referenced loan. The Consumer Ombudsman was created to provide Ocwen's customers with a resource to assist with unresolved concerns and issues.

Ocwen is obligated to report the loan accurately to the credit bureaus, based on the contractual due date. Further, if payments are not received within the thirty (30) days of the month, then the account would be reported as delinquent. The March 26, 2013 payment was received on April 30, 2013, which was 30-59 days past due, therefore, the credit reporting is valid.

A further review indicates that on March 21, 2014, our office submitted a request to the four major credit reporting agencies, Equifax, TransUnion, Experian, and Innovis, to reflect the current balance on the loan in the amount of \$80,499.78. The confirmation number for this electronically submitted update is 69189581. Ocwen reports to Equifax, TransUnion, Experian and Innovis. These bureaus provide information to the local credit bureaus to update and correct your credit file. Unfortunately, Ocwen is unable to control when the credit reporting agencies will update their records. In the interim, you may use this letter as evidence that the request has been submitted.

As of the date of this letter, your loan is due for the April 26, 2014 payment. If you require any further assistance regarding your loan, you may contact Ocwen's Customer Care Center at (800) 746-2936.

The Office of the Consumer Ombudsman is your advocate in ensuring that Ocwen's servicing of the loan remains fair, reasonable and proper. If you still have unresolved issues, please feel free to contact this office at (800) 390-4656.

Sincerely,  
The Office of the Consumer Ombudsman  
Ocwen Loan Servicing  
NMLS # 1852

**WHAT HAPPENED****Describe what happened so we can understand the issue...**

Hi, I have a mortgage loan with Ocwen Financial Loan Services that matures in July 2014 with a balloon payment due at that time. My balance is roughly \$80,000 and the value of my house is \$165,000. I will need to refinance to keep my house. We did have some bad financial times a few years ago and just recently I have about all of my accounts paid off. I hired a credit repair company that helped a good bit. I have been not getting very good responses with finance companies. I usually getting monthly reports from Experian, but a couple weeks ago I ordered credit reports from all 3 reporting agencies. Equifax shows on my credit report that I was late on my mortgage payment by 120 days in March, June, July, October and December 2014. They also show that I am currently past due by \$6,178.00. The only time I was late was the first week

## Complaint Review

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of March when our pension check did not get processed in time and a week went by when we caught it. It was paid immediately when discovered. We have not been late at anytime since then and we do not owe any past due amount. The problem is that we have disputed this 3 times with Equifax and they will not remove it insisting it is correct. I called Ocwen and they claim I need to take my complaint to Equifax. I told Ocwen that we have disputed it. I sent a fax with my complaint to Ocwen stating this and I sent a copy also by registered mail as a backup. I believe my consumer rights are being violated and with this false information being posted there is no way I will be able to refinance. I would also consider this being done by Ocwen to profit from my equity. I noticed on Ocwen website where you can look up your monthly statements and account information, June and July are blank. I have copies of the credit report and Ocwen monthly statements if you need them. I am going to also file a complaint against Equifax.

**Which part of the mortgage process is your issue related to?**

☒ Receiving a credit offer

**This is about** Conventional fixed mortgage

**DESIRED RESOLUTION**

**What do you think would be a fair resolution to your issue?**

Knowing what has taken place and as of yet and getting no cooperation, I believe Ocwen should be forced into clearing my credit report immediately and should be forced into refinancing my loan at a reasonable rate since they are a big part of the problem for not fixing the disputes with Equifax.

**MY INFORMATION****Contact information****Mailing address**

Mr David Daugherty  
35 Valley View Dr.  
Vienna WV 26105  
United States

**Email** fireboy1@suddenlink.net

**Phone** (304) 615-3238

**Age** 56

**I am submitting on behalf of** ☒ Myself

**PRODUCT INFORMATION**

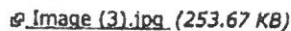
☒ Property address is the same as mailing address.

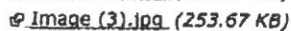
**Account/Loan number** 7092244537

**Information about the company**

Ocwen Loan Servicing LLC  
United States

**Supporting documents**

 [Image \(3\).jpg \(253.67 KB\)](#)

 [Image \(3\).jpg \(253.67 KB\)](#)

**COMPLAINT HISTORY**

Auto-Response

04/17/2014 05:15 PM

Thank you for reviewing the company's response to your complaint (number 140326-000036). We've noted that you've disputed the response and will now start an investigation. While we don't specifically advocate for your desired resolution, we do

## Complaint Review

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look at all the information provided by both sides to see if any consumer financial protection laws were potentially broken.

We will update the complaint database on our website to show that you disputed this complaint.

Will I hear from the CFPB again about my complaint?

Probably not. We occasionally have to reach out for more information to complete the investigation. As a result of our investigation, you may receive a more favorable response, though not usually. If you do not hear from us within 60 days, you can assume we have investigated and closed your complaint.

If the company broke the law, will you tell me?

No. We do not comment on possible violations of the law unless they're made public. However, if we take public legal action against the company that involves the issue you complained about, we will let you know.

Can I hire my own lawyer to look into this?

Yes. While we can't give legal advice or represent individuals in legal matters, if you want more help you can contact a private attorney or your local legal aid office for free or low-cost legal resources at [www.lsc.gov](http://www.lsc.gov).

Is that it?

Complaints help us identify trends and problems in the marketplace and understand the challenges people are facing so we can do a better job looking for these problems when we supervise companies, enforce federal consumer financial laws, and write rules and regulations.

Where can I find more information?

If you have questions, call us at (855) 411-CFPB (2372) or visit us at [consumerfinance.gov/askcfpb](http://consumerfinance.gov/askcfpb).

We also welcome your feedback on how our complaint process has worked for you. If you would like to share your story, go to <https://help.consumerfinance.gov/app/tellyourstory>.

If you're having trouble paying your mortgage and need immediate assistance, call us at (855) 411-CFPB (2372). We can connect you to a free, HUD-approved housing counselor who can help you explore options available to avoid foreclosure, including modifications, short sales, repayment plans and government programs. Special assistance may be available to military members or veterans. You can also explore your options at: <http://www.makinghomeaffordable.gov/programs/Pages/default.aspx>. Please note that submitting a complaint to us will not automatically stop or delay a foreclosure.

Thank you,

Consumer Financial Protection Bureau  
[consumerfinance.gov](http://consumerfinance.gov)  
(855) 411-CFPB (2372)

Customer David Daugherty via Web

04/17/2014 05:15 PM

I sent Ocwen a copy of my Equifax report, it shows me being currently past due \$6,128.00 and being late 120 days in the months of March, June, July, October and December. I understand Equifax is now showing that my loan is current, but they still show me being late 120 days all of those months. There is no way I can be satisfied with this as my loan will mature in July with Ocwen demanding a balloon payment for the balance. It appears neither Ocwen or Equifax is going to cooperate and time is a real issue to obtain a loan in time.

Auto-Response

04/08/2014 03:26 PM

We wanted to let you know that the company responded to your complaint.

What happens next?

Review the company's response:

- Log in to <https://help.consumerfinance.gov/app/account/complaints/list> to read it online, or

[https://help.consumerfinance.gov/app/account/complaints/review/i\\_id/788440](https://help.consumerfinance.gov/app/account/complaints/review/i_id/788440)

6/9/2014

P.14/17

TO:13045743709

JUN-10-2014 05:55P FROM:PEOPLES NEWS FAX SER 13044857699



## Complaint Review

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- Call us at (855) 411-CFPB (2372) and we'll talk it over with you.

It should include the steps they took, or will take, in response to your complaint.

If you're okay with the company's response, then you're finished! If you aren't okay with it, let us know by calling us to dispute it, or by clicking "dispute" when you review the response online.

Also, we've published your complaint in two online databases. Your complaint – without any information that could be used to identify you – has been published on our website in the Consumer Complaint Database, where it can be used to help other consumers: [consumerfinance.gov/ComplaintDatabase](http://consumerfinance.gov/ComplaintDatabase). It's also been shared with the Federal Trade Commission, where they've added it to a database for state and federal law enforcement agencies.

What happens if I dispute the company's response?

A member of our staff will investigate your complaint. While we don't specifically advocate for your desired resolution, we do investigate to see if any consumer financial protection laws were potentially broken.

We also publish on our website which companies get the most disputes from consumers like you.

Can I hire my own lawyer to look into this?

Yes. While we can't give legal advice or represent individuals in legal matters, if you want more help you can contact a private attorney or your local legal aid office for free or low-cost legal resources at [www.lsc.gov](http://www.lsc.gov).

Is that it?

Not by a long shot. Complaints help us identify trends and problems in the marketplace and understand the challenges people are facing so we can do a better job looking for these problems when we supervise companies, enforce federal consumer financial laws, and write rules and regulations.

Where can I find more information?

If you have questions, call us at (855) 411-CFPB (2372) or visit us at [consumerfinance.gov/askcfpb](http://consumerfinance.gov/askcfpb).

We also welcome your feedback on how our complaint process has worked for you. If you would like to share your story, go to <https://help.consumerfinance.gov/app/tellyourstory>.

If you're having trouble paying your mortgage and need immediate assistance, call us at (855) 411-CFPB (2372). We can connect you to a free, HUD-approved housing counselor who can help you explore options available to avoid foreclosure, including modifications, short sales, repayment plans and government programs. Special assistance may be available to military members or veterans. You can also explore your options at: <http://www.makinghomeaffordable.gov/programs/Pages/default.aspx>. Please note that submitting a complaint to us will not automatically stop or delay a foreclosure.

Thank you,

Consumer Financial Protection Bureau  
[consumerfinance.gov](http://consumerfinance.gov)  
(855) 411-CFPB (2372)

Auto-Response

03/26/2014 06:07 AM

We've sent your complaint to the company for a response.

We will let you know when the company responds. The response should include the steps they took, or will take, in response to your complaint.

You should receive a status update within the next 15 days.

You can track the status of your complaint at:

<https://help.consumerfinance.gov/app/account/complaints/list>.

If you're having trouble paying your mortgage and need immediate assistance, call us at (855) 411-CFPB (2372). We can connect you to a free, HUD-approved housing counselor who can help you explore options

[https://help.consumerfinance.gov/app/account/complaints/review/i\\_id/788440](https://help.consumerfinance.gov/app/account/complaints/review/i_id/788440)

6/9/2014

P.15/17

TO:13045743709

JUN-10-2014 05:56P FROM:PEOPLES NEWS FAX SER 13044857690

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available to avoid foreclosure, including modifications, short sales, repayment plans and government programs. Special assistance may be available to military members or veterans. You can also explore your options at: <http://www.makinghomeaffordable.gov/programs/Pages/default.aspx>. Please note that submitting a complaint to us will not automatically stop or delay a foreclosure.

Thank you,

Consumer Financial Protection Bureau  
[consumerfinance.gov](http://consumerfinance.gov)  
 (855) 411-CFPB (2372)

## Auto-Response

03/26/2014 05:52 AM

We received your submission and will review it as soon as possible to determine if it involves a Federal consumer financial law within our authority.

Depending on what we find, we will:

- Send your complaint to the company for a response; or
- Send your complaint to the appropriate regulator or help you get in touch with your state and local consumer protection office if your complaint is not within our authority; or
- Let you know if we need more information to continue our work.

While we can't give legal advice or represent individuals in legal matters, if you want more help you can contact a private attorney or your local legal aid office for free or low-cost legal resources at [www.lsc.gov](http://www.lsc.gov).

You can register to track the status of your submission at:

<https://help.consumerfinance.gov/app/account/complaints/list>.

If you're having trouble paying your mortgage and need immediate assistance, call us at (855) 411-CFPB (2372). We can connect you to a free, HUD-approved housing counselor who can help you explore options available to avoid foreclosure, including modifications, short sales, repayment plans and government programs. Special assistance may be available to military members or veterans. You can also explore your options at: <http://www.makinghomeaffordable.gov/programs/Pages/default.aspx>. Please note that submitting a complaint to us will not automatically stop or delay a foreclosure.

Thank you,

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03/26/2014 05:52 AM

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6/9/2014

P.16/17

TO:13045743709

JUN-10-2014 05:56P FROM:PEOPLES NEWS FAX SER 13044857696

Complaint Review

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monthly statements if you need them. I am going to also file a complaint against Equifax.